

**IDAHO STATE ELECTRICAL BOARD MEETING**  
**August 11, 2005**

**MINUTES**

*Note: The following report is not intended to be a verbatim transcript of the discussions at the meeting, but is intended to record the significant features of those discussions.*

The Idaho State Electrical Bureau held a regular board meeting at the Shilo Inn Suites Hotel “Idaho Falls Conference Room”, located at 780 Lindsay Blvd, Idaho Falls, ID on August 11, 2005, and the meeting was called to order by Vice Chairman, Greg Ford at 9:00 a.m. Those attending were:

**ELECTRICAL  
BOARD MEMBERS:**

Greg Ford, Electrical Board Vice Chairman  
Al Frieze  
Kreg Davis  
Dale Pippitt  
Chris Jensen  
Lee Riley  
Tim Phillips

**ELECTRICAL BOARD  
MEMBERS ABSENT:**

Tom Brown  
Vacant – one position

**DBS-ELECTRICAL BUREAU  
STAFF MEMBERS:**

Dave Munroe, Administrator  
Gary Malmen, Electrical Bureau Chief  
Kay Christensen, Deputy Attorney General  
Steve Keys, Buildings Bureau Chief  
Lorraine Mallett, Electrical Administrative Assistant

**VISITORS:**

Richard (Rick) Chason, Micron  
Bob Eugene, Underwriters Laboratories  
Marc Bernesen, IBEW Local 291  
Joe Andre, NEMA  
Lloyd Stanger, Don’s Service Station  
James R. Weimer, E ID Elect JATC  
Tonya Bunnell, Sign A Rama  
Ben Garechana, Forest Service  
Mark Norviel, Idaho State University  
Lyle Carson, Idaho State University  
Roger Sears, Pocatello Fire Dept.  
Kevin Gellings, Area 3 Inspector Supervisor  
Richard Likes, L & F Electric Inc  
Jaren Layton, System Tech Inc  
Peter Stilling, BYU Idaho  
Bob Baird, City of ID Falls  
Margaret Phelps, Idaho State University  
Mike DeLacy, RME  
Scott Lind, Scott Lind Electric LLC  
Ginger McArthur, Electrical Wholesale

J.D. Woockeas, PreCom, INC  
Ed Loughney, SW ID Electrical JATC  
Jerry Peterson, Idaho Building Trades  
Kelly Lamp, SW ID Electrical JATC  
Laurie Watters, IBEW Local 449  
Warren Wyatt, R&W Heating & Air Cond.  
Michael Rydalch, BYU Idaho  
Carrie Tew, Don’s Service Station  
Dennis Jablonski, Sign a Rama  
Richard Hollinger, BYU Idaho  
Travis Williams, BYU Idaho  
Doug McCleary, System Tech  
Troy Mortensen, System Tech  
Aaron Smith, BYU Idaho  
Terry McNamm, City of ID Falls  
DelRay Miles, Miles Heating & Air Cond.  
Jane Shaw, City of Ammon  
Doug McNamara, Scott Lind Electric LLC  
Gary Abbott, BYU Idaho

### **MINUTES**

**MOTION:** Mr. Tim Phillips made a motion to accept the minutes of May 12, 2005 and July 1, 2005 as written. The motion was seconded by Mr. Chris Jensen, motion passed unanimously.

### **Administrative Appeal**

#### **Don's Service Station Equipment, Inc. NOV # 18479**

Vice Chairman Greg Ford directed board members to page 4 in the board packet and acknowledged Lloyd Stanger and Carrie Tew from Don's Service Station that attended the meeting to address the appeal. Lloyd Stanger asked for the letter on page 8 of the packet to be read out loud, which Greg Ford read. Discussion followed on if this work fell under communication or intrinsically safe systems, and different perspectives of what happened when this Civil Penalty was issued. The Board decided to go with it being more a communication system.

**MOTION:** Mr. Chris Jensen moved that this appeal be granted and money refunded on the grounds that this notice of violation occurred before July 1, 2005 when the law had an exemption for any kind of communications work and that would extend to Don's Service Station work in this situation. Motion was seconded, and motion passed unanimously.

**ACTION:** Electrical Bureau would cancel NOV 18479 and send refund check to Don's Service Station.

### **ELECTRICAL CONTRACTOR QUALIFICATIONS & REQUIREMENTS**

Vice Chairman Greg Ford directed board members to page 13 and brought up the continuing concern that a signing journeyman could hold their employer hostage for more money when the master electrician requirement for a contractor's license goes into effect. And what if a company changes it's name, does that constitute requiring a master electrician instead of the journeyman electrician at that time? Discussion that followed touched on the above subjects and also included how grandfathering should be addressed and written into the proposal. Concerns on how industrial accounts with multiple sites in the State of Idaho should be handled such as having a master electrician for each site or that one designated electrician would cover the multiple industrial accounts. Consensus was one master electrician for multiple sites would cover industrial accounts.

**MOTION:** Mr. Al Frieze moved to implement the draft with the addition of the grandfathering of the current qualifiers, as long as they are employed by a firm/company that currently qualifies for when the rule goes into effect of July 1, 2006, if approved by the legislature. (Clarified - Grandfathering only applies to the journeyman and the identity as of that moment when the rule goes into effect) Kreg Davis seconded the motion, motion passed unanimously.

### **ELECTRICAL COMPLIANCE**

Greg Ford acknowledged Gary Malmen who directed the Board to page 18 of the board packet to the Civil Penalties Report. Report and graph reflects warning letters versus' civil penalties. It was noted that not permitting a job was the highest compliance issue. Bureau asked if these civil penalties could be posted on the web and the Division of Building Safety informed the board it was looking into this request already.

**ACTION:** Division of Building Safety is working on putting civil penalty listings on the web.

### **PROOF OF LIABILITY INSURANCE/WORKER'S COMPENSATION**

Greg Ford gave a brief history of House Bill 141 that Electrical Contractor's and Specialty Contractor's are now required to show proof of \$300,000.00 liability insurance and worker's compensation if applicable. Steve Keys announced that the Division of Building Safety has submitted a legislation form for an inactive category for the electrician contractor's license. This inactive category would allow contractor's to maintain their electrical license without purchasing liability insurance but the area that may be a problem is making contractor's aware that they have to activate and purchase insurance before working in the industry again. Discussion following brought out that other industries are going this route – that people don't want to participate in their chosen industry for a few years, but they don't want to lose the license and want to leave that option open to come back into the industry without have to retest. It

was also stated that contractor's (if they held the electrician license for that business) would have to maintain the education requirements for those electrical licenses to be able to reactivate the contractor's license or they would have to retest.

**MOTION:** Kreg Davis moved that the board support Steve Keys legislation idea. Chris Jensen seconded the motion, motion passed.

Kay Christensen was acknowledged to address the new issue that has risen with the new statute requiring proof of insurance to obtain an electrical contractor's license. She suggested that the board go back and ask the legislature to create a specific provision in that statute that requires contractor's to provide proof of insurance to obtain a license and to maintain that insurance during the term of their licensure. A handout with a sample of the proposal was handed out and discussion followed.

**MOTION:** Kreg Davis moved to accept Ms. Christensen's proposal, seconded by Chris Jensen. Motion passed unanimously.

**ACTION:** Ms. Christensen will write proposal and submit for legislature overview and approval.

### **PROPERTY OWNERS – PRIMARY AND SECONDARY RESIDENCE**

Vice Chairman Greg Ford acknowledged Gary Malmen who brought up the concerns on House Bill 139 statute on clarification of associated outbuildings with primary and secondary residences that have commercial/business aspects such as a farm that may have a body shop located there. Discussion that followed came up with at this time that the bureau could use the interpretation that if the associated building is not associated with the residential activities than it should not be permitted as a property owner permit.

### **COMMUNICATIONS & ELECTRICAL UTILITIES – ID CODE 54-1016 EXEMPTIONS**

Greg Davis acknowledged Al Frieze who gave a brief background on House Bill 139 and how the Electrical Bureau's Administrative Rules needed to be changed to address this bill becoming a law, which was the task given to the subcommittee. The subcommittee has brought 4 policy recommendations to the board:

- 1) The Electrical Bureau implement licensing by accepting reasonable documentation that the person applying for either the special license or special contractor license has been employed in the trade for two years be granted the license without testing for a period of six (6) months following the effective date. January 1, 2007 interested parties would have to take an exam if wanting to acquire this license.
- 2) The new rule to be effective July 1, 2006, if approved by the legislature.
- 3) Persons holding a specialty license and registered as a specialty trainee are to be included in the apprentice to journeyman ration of Rule 70.01.03012.02
- 4) The Electrical Board should instruct the Bureau staff or move forward with all due speed to adopt a "Minor Works Permit" as associated fee schedule.

Further discussion brought up by the City of Pocatello's Fire Department was with 54-1002 licensing fees, does this preclude them from charging fees? Fire Code give authority to charge fees but is this double feeing or overlapping charges? Kay Christensen asked the boards permission to follow up on this issue and bring it back at the next board meeting. Permission was granted.

**ACTION:** Deputy Attorney General Kay Christensen is to look into if there is an overlap of codes concerning fees with fire alarm systems.

Other concerns brought up were: With grandfathering how can the state assume the current "labor force" are qualified, public thought sprinkler systems should be included, breaking down Limited Energy into more specialized licenses and others thought less specialized license categories, with many suggestions being discussed.

**MOTION:** Al Frieze moved to adopt Attachment A, seconded by Kreg Davis, motion passed. The Board thanked the subcommittee for an outstanding job on this task.

### **PERMITTING – “MINOR” WORK PERMITS**

Vice Chairman Greg Ford acknowledged Steve Keys who directed the board to page 88 of the board packet. The Division of Building Safety is trying to develop criteria that would work across the board with the HVAC, Plumbing and Electrical Bureau's for formulating their permit fees, especially for residential permits making it easier to compute permit fees for all three bureau's. Currently the suggestion is to go with a square footage basis. Discussion followed and the consensus was to not change the current fees that are defined with the service size at this time. The next topic was on minor work permit fees. A section needs to be added to the permit fees to be submitted to tie in with the implementation of the Limited Energy Rule if it gets approved. Discussion of what those minimum and maximum fees followed.

**MOTION:** Lee Riley made a motion to add a section to the Rules Governing Fees for Electrical Inspections that small work permits would be a minimum fee of ten dollars (\$10.00) not to exceed two hundred dollars (\$200.00). Tim Phillips seconded the motion, motion passed.

### **PROPOSAL FOR ELECTRICAL INSPECTIONS MODELED AFTER OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) STAR PROGRAM**

Greg Ford called upon Kreg Davis to address the proposal for modeling electrical inspections after The Occupational Safety and Health Administration Star Program. The comment that the OSHA Star program name needed to be dropped and replaced with the Board Electrical Star (Inspection) Program in further talks would decrease some of the confusion when discussing this suggested alternative to electrical inspections. Discussion of program brought up issues such as administratively this program looks to require a lot of staff to make this work, that a change of statute would be needed to run this program and could run a voluntary pilot program if draft(straw man) was pursued. The other alternative, Contractual Services for electrical inspections was brought up and during the discussion on this topic issues brought up were, are funds available to do a pilot program? Thought on the costs of the pilot program would be absorbed by the participating contractors, so could do this internally. It was brought up that Minnesota currently has this type of structure for their electrical inspections and are quite successful with it.

**MOTION:** Kreg Davis moved to give the Bureau the go ahead to look at a pilot program for contractual services for electrical inspections. Lee Riley made the comment that the negatives be looked at very strongly and then seconded the motion. Motion passed unanimously.

**ACTION:** Board gave Kreg Davis the go ahead to draw up a straw man of the Electrical Star Program; put together and proceed, bringing that information back to the November meeting.

### **ELECTRICAL APPRENTICE**

Greg Ford acknowledged Gary Malmen who informed the Board that the Bureau has revised the Apprentices documentation form for Work Experience Hours with signature lines for multiple supervising journeymen, signature of the apprentice which states no false information is provided and identifies actual out of state work hours. Discussion on the apprentice's documentation involved issues such as the amount of time it takes to process apprentice's paperwork for the cost of \$10.00 is not cost effective. Some suggestions given were: apprentices use the BAT registration to document work hours or having the contractor (as the employer) verify apprentice's work hours.

**ACTION:** Board asked the Division of Building Safety to solve the particulars of the apprentice documentation process and bring back proposals to the November board meeting, not to do any implementation.

### **NATIONAL ELECTRICAL CODE 2005**

Greg Ford acknowledged Gary Malmen who directed the board members to page 112 in the board packet that pertained to Concrete Encased Grounding Electrodes. It was brought to the board's attention that the Bureau is having problems with verification of the rebar being 20 feet because the electrical contractor is usually not involved at this stage with the building contractor. Discussion of this issue came up with the suggestion of an appropriate clamp on rebar to verify or requiring ground access point that would be

accessible for inspectors. City of Idaho Falls has been verifying this area for sometime and have been successful. Also some Building Officials have offered to help verify/inspect this area and document it.

**ACTION:** Bureau is to bring back suggestions to the Board at the November meeting.

### **ELECTRICAL LICENSING AND EXAMINATIONS REPORT**

Greg Ford brought up the Continuing Education On-Line Computer courses security measures and asked the Bureau for its information. That information was compiled by Jeff Fitzloff but was left at the Meridian office so that information will be emailed to the board members.

**ACTION:** Email information on what security measures each Online Course sponsor has in place at this time.

### **MULTI-STATE RECIPROCITY AGREEMENT**

Greg Ford acknowledged Gary Malmen who directed the board to page 119 in the board packet to the copy of the letter he sent to the Multi-State Reciprocity Licensing Group stating the boards decision not to accept Oklahoma and other concerns, and also a handout of the Multi-State Reciprocal's reply to that letter. Discussion that followed brought up that it was thought that if other states didn't meet the same requirements that Idaho has set for their own electrical licensees that reciprocity should be denied. Another was that if the state of Idaho did pull out of the reciprocal agreement that a lot of licensee's employment could be affected.

**ACTION:** Letter to be written (Steve Keys) restating that Idaho is asking for consideration to grant reciprocal licenses for those states that didn't mandate a training requirement for schooling and to let the person applying for a reciprocal license prove he had the schooling. Depending on the response back that there is no choice then would go forward and resign from the group and pursue individual agreements with those states that have similar requirements as Idaho.

### **ELECTRICAL BUREAU FISCAL REPORTS**

Steve Keys acknowledged Dave Munroe, Administrator who gave the Electrical Bureau Fiscal report that was on page 121 in board packet. Mr. Malmen directed board to a handout on permits that were issued in the month of June broken down by counties. All Bureau's in the Division are doing great.

### **OLD BUSINESS** - None

### **NEW BUSINESS**

Greg Ford acknowledged Steve Keys who brought up the topic of staggering renewal licenses for electrical contractors. Currently all electrical contractors are renewed with in the month of July which puts a big burden on the bureau. Steve would like board approval to submit legislation to stagger electrical contractor licenses renewal on a monthly once a year basis (different than the three year renewals for other electrical licenses).

**ACTION:** Board approved Steve Keys to submit legislation staggering electrical contractors license renewals to a monthly once a year basis.

Greg Ford brought up the request that the preview board packets be sent in a more timely manner than the one week ahead that happened this month.

**ACTION:** Bureau will make every effort to get the board packets out within two weeks before the board meetings.

Greg Ford also informed the board that there was an IEC situation that arose recently with the purchases of curriculum handbooks, when purchase and distribution was to be within the state.

**ACTION:** Steve Keys was to inform the board on what was resolved in the meeting he had forthcoming.

Mark Bernsen, brought up the topic of COMPLIANCE – would like a report on what the Bureau is doing about Compliance. He stated that every day he either encounters or hears about compliance issues and it is putting him out of business. It was brought up that an option was writing up these issues/encounters and sending them to the Bureau so they can be acted upon, with you as the witness. And calling the electrical Bureau or inspector so they can respond to your complaint.

**BOARD MEETINGS – 2005 SCHEDULE**

November 10, 2005 – Meridian, ID (after meeting was adjourned date was moved to November 3, 2005)

**MOTION:** It was moved to adjourn, motion was seconded. Motion carried unanimously. Meeting was adjourned at 3:00 pm.

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John McAllister  
Secretary of the Board

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DATE

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LORRAINE MALLETT  
Minutes Recorder

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DATE